

1648 JFW

Dkt. 57906-B/JPW/AJD/BWSL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : William C. Olson and Paul J. Maddon

Serial No. : 09/594,983

Examiner: Shannon A. Foley

Filed : June 15, 2000

Group Art Unit: 1648

For : SYNERGISTIC INHIBITION OF HIV-1 FUSION AND  
ATTACHMENT, COMPOSITIONS AND ANTIBODIES THERETO

1185 Avenue of the Americas  
New York, New York 10036  
July 22, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This Supplemental Information Disclosure Statement is submitted under 37 C.F.R. §1.97(b)(4) to supplement the Information Disclosure Statements filed on June 3, 2004, September 3, 2003, June 3, 2003, June 14, 2001, and September 6, 2000 in connection with the above-identified application.

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following reference which is listed on the attached Form PTO-1449. (**Exhibit A**), and attached hereto as **Exhibit 1**:

1. Rudikoff et al. (1982) Single amino acid substitution altering antigen-binding specificity. Proc. Natl. Acad. Sci. 79: 1979-1983 (**Exhibit 1**).

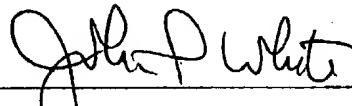
Applicants note that the above-listed reference was cited on Form PTO-892 by the Examiner in an April 2, 2004 Office Action issued in connection with U.S. Serial Number 09/464,902 which is related to the subject application.

Applicants: William C. Olson and Paul J. Maddon  
Serial No.: 09/594,983  
Filed: June 15, 2000  
Page 2

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invite the Examiner to telephone him at the number provided below.

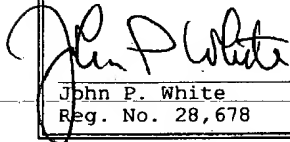
No fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorneys for Applicant(s)  
Cooper & Dunham, LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Commissioner for Patents  
P.O. Box 1450, Alexandria  
VA 22313-1450



7/22/04

John P. White	Date
Reg. No. 28,678	

**JUN 03 2004**

**OFFICE OF PETITIONS** Dkt. 57906-B/JPW/AJD

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: William C. Olson and Paul J. Maddon  
Serial No.: 09/594,983 Examiner: Shanon A. Foley  
Filed: June 15, 2000 Group Art Unit: 1648  
For: SYNERGISTIC INHIBITION OF HIV-1 FUSION AND  
ATTACHMENT, COMPOSITIONS AND ANTIBODIES THERETO

Date of Notice  
of Allowance: September 23, 2003 Confirmation No.: 8686

Issue Fee Paid: December 22, 2003

1185 Avenue of the Americas  
New York, New York 1003  
June 2, 2004

Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION AND  
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Applicants paid the issue fee for above-identified U.S. Serial No. 09/594,983 on December 22, 2003. In a Petition For Withdrawal From Issue Under 37 C.F.R. §1.313(c)(2) being filed concurrently herewith, applicants petition that U.S. Serial No. 09/594,983 be withdrawn from issue under 37 C.F.R. §1.313(c)(2) for consideration of a Request for Continued Examination ("RCE") in compliance with 37 C.F.R. §1.114 so that the references submitted with the Supplemental Information Disclosure Statement incorporated herein may be considered by the Patent Office.

**Supplemental Information Disclosure Statement**

Applicants are filing this Supplemental Information Disclosure Statement to supplement the Information Disclosure Statements filed on September 7, 2000, June 14, 2001, June 3, 2003 and September 3, 2003 in connection with the subject application.

Applicants: William C. Olson et al.  
Serial No.: 09/594,983  
Filed: June 15, 2000  
Page 2

In accordance with their duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §1.97(b)(4), applicants direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (**Exhibit B**), and attached hereto as **Exhibits 1-36**:

1. U.S. Patent No. 6,107,019, issued August 22, 2000 to G.P. Allaway et al. (**Exhibit 1**);
  2. U.S. Patent No. 6,344,545 B1, issued February 5, 2002 to G.P. Allaway et al. (**Exhibit 2**);
  3. U.S. Patent No. 6,548,636 B2, issued April 15, 2003 to T. Dragic and W.C. Olson (**Exhibit 3**);
  4. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/888,938, filed June 25, 2001 (**Exhibit 4**);
  5. Allowed claims in T. Dragic and W.C. Olson, U.S. Serial No. 10/323,314, filed December 19, 2002 (**Exhibit 5**);
- 
6. G.P. Allaway et al., U.S. Serial No. 08/627,684, filed April 2, 1996 (now abandoned) (**Exhibit 6**);
  7. G.P. Allaway et al., U.S. Provisional Application No. 60/014,532, filed April 2, 1996;
  8. G.P. Allaway et al., U.S. Serial No. 08/663,616, filed June 14, 1996 (now abandoned) (**Exhibit 7**);
  9. G.P. Allaway et al., U.S. Provisional Application No. 60/019,715, filed June 14, 1996;

Applicants: William C. Olson et al.  
Serial No.: 09/594,983  
Filed: June 15, 2000  
Page 3

10. G.P. Allaway et al., U.S. Serial No. 08/673,682, filed June 25, 1996 (now abandoned) (**Exhibit 8**);
11. G.P. Allaway et al., U.S. Serial No. 08/665,090, filed June 14, 1996 (now abandoned) (**Exhibit 9**);
12. G.P. Allaway et al., U.S. Provisional Application No. 60/019,941, filed June 14, 1996;
13. G.P. Allaway et al., U.S. Serial No. 08/874,570, filed June 13, 1997 (now abandoned) (**Exhibit 10**);
14. G.P. Allaway et al., U.S. Serial No. 08/874,618, filed June 13, 1997 (now abandoned) (**Exhibit 11**);
15. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/724,105, filed November 28, 2000 (**Exhibit 12**);
16. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/852,238, filed May 9, 2001 (published May 6, 2004 as U.S. Patent Application Publication No. 2004/0086528 A1) (**Exhibit 13**);
17. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/212,793, filed December 16, 1998 (now abandoned);
18. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/112,532, filed December 16, 1998;
19. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/464,902, filed December 16, 1999 (**Exhibit 14**);
20. W.C. Olson et al., U.S. Serial No. 09/663,219, filed

Applicants: William C. Olson et al.  
Serial No.: 09/594,983  
Filed: June 15, 2000  
Page 4

September 15, 2000 (**Exhibit 15**);

21. W.C. Olson et al., U.S. Provisional Application No. 60/266,738, filed February 6, 2001 (**Exhibit 16**);
  22. W.C. Olson and P.J. Maddon, U.S. Patent Application Publication No. 2002/0146415 A1, published October 10, 2002 (**Exhibit 17**);
  23. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/282,380, filed April 6, 2001 (**Exhibit 18**);
  24. W.C. Olson et al., U.S. Patent Application Publication No. 2002/0106374 A1, published August 8, 2002 (**Exhibit 19**);
  25. W.C. Olson and P.J. Maddon, U.S. Serial No. 10/081,128, filed February 22, 2002 (now abandoned) (**Exhibit 20**);
  26. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/358,886, filed February 22, 2002;
- 
27. William C. Olson and Paul J. Maddon, U.S. Publication No. 2003/0044411 A1, published March 6, 2003 (**Exhibit 21**);
  28. T. Dragic and W.C. Olson, U.S. Patent Application Publication No. 2003/0092632 A1, published May 15, 2003 (**Exhibit 22**);
  29. W.C. Olson et al., U.S. Patent Application Publication No. 2003/0228306 A1, published December 11, 2003 (**Exhibit 23**);
  30. Pending claims in W.C. Olson and P.J. Maddon, U.S. Serial No. 10/763,545, filed January 23, 2004 (**Exhibit 24**);

Applicants: William C. Olson et al.  
Serial No.: 09/594,983  
Filed: June 15, 2000  
Page 5

31. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/460,216, filed December 13, 1999 (**Exhibit 25**);
  32. PCT International Application Publication No. WO 96/41020, published December 19, 1996 (**Exhibit 26**);
  33. PCT International Application Publication No. WO 97/26009, published July 24, 1997 (**Exhibit 27**);
  34. PCT International Application Publication No. WO 97/37005, published October 27, 1997 (**Exhibit 28**);
  35. PCT International Application Publication No. WO 97/47319, published January 7, 1998 (**Exhibit 29**);
  36. PCT International Application Publication No. WO 98/56421, published December 17, 1998 (**Exhibit 30**);
  37. PCT International Application Publication No. WO 00/35409, published June 22, 2000 (**Exhibit 31**);
- 
38. PCT International Application Publication No. WO 01/64710, published September 7, 2001 (**Exhibit 32**);
  39. PCT International Application Publication No. WO 02/22077, published March 21, 2002 (**Exhibit 33**);
  40. PCT International Application Publication No. WO 02/068608, published September 6, 2002 (**Exhibit 34**);
  41. PCT International Application Publication No. WO 02/083172, published October 24, 2002 (**Exhibit 35**); and

Applicants: William C. Olson et al.  
Serial No.: 09/594,983  
Filed: June 15, 2000  
Page 6

42. PCT International Application Publication No. WO 03/072766,  
published September 4, 2003 (**Exhibit 36**).

The Examiner is respectfully requested to make these references  
of record in the present application by initialing and returning  
a copy of the enclosed Form PTO 1449.

37 C.F.R. §1.98(a)(2)(iii) provides that an Information  
Disclosure Statement shall include, for each cited pending U.S.  
application, a legible copy of the application specification  
including the claims and any drawing of the application, or that  
portion of the application which caused it to be listed including  
any claims directed to that portion. Under 37 C.F.R. §1.98(c),  
when the disclosures of two or more patents or publications  
listed in an Information Disclosure Statement are substantively  
cumulative, a copy of one of the patents or publications may be  
submitted without copies of the other patents or publications,  
provided it is stated that these other patents or publications  
are cumulative. In accordance with 37 C.F.R. §1.98(c), copies of  
certain of the references listed above are not being submitted  
herewith as they are cumulative.

---

Specifically, U.S. Serial No. 09/888,938, filed June 25, 2001, is  
a continuation of U.S. Serial No. 10/831,823, filed April 2,  
1997, which issued as U.S. Patent No. 6,344,545 B1 (reference 2).  
Therefore, a copy of U.S. Serial No. 09/888,938 is not attached  
hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii),  
a copy of the claims pending in U.S. Serial No. 09/888,938 is  
attached hereto as Exhibit 4.

U.S. Serial No. 10/323,314, filed December 19, 2002 is a  
continuation of U.S. Serial No. 09/796,202, filed February 28,  
2001, which issued as U.S. Patent No. 6,548,636 B2 (reference 3).



Applicants: William C. Olson et al.  
Serial No.: 09/594,983  
Filed: June 15, 2000  
Page 7

Therefore, a copy of U.S. Serial No. 10/323,314 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims allowed in U.S. Serial No. 10/323,314 is attached hereto as Exhibit 5.

References 6 and 7 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 7 is not enclosed.

References 8 and 9 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 9 is not enclosed.

References 11 and 12 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 12 is not enclosed.

References 17, 18 and 19 are cumulative to each other since each contains an identical disclosure except that reference 19 contains an additional paragraph at the beginning of the application claiming the benefit of an earlier application, U.S. Provisional Application No. 60/112,532 (reference 18), and also provides the ATCC Accession Number for the PA10 antibody, which Accession Number is not provided in references 17 and 18. Therefore, copies of references 17 and 18 are not enclosed.

References 25 and 26 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 26 is not enclosed.

U.S. Serial No. 10/763,545, filed January 23, 2004, is a continuation of the subject application. Therefore, a copy of U.S. Serial No. 10/763,545 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims

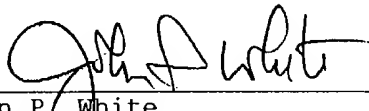
Applicants: William C. Olson et al.  
Serial No.: 09/594,983  
Filed: June 15, 2000  
Page 8

pending in U.S. Serial No. 10/763,545 is attached hereto as Exhibit 24.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Pursuant to 37 C.F.R. §1.97(b)(4), no fee, other than the enclosed \$130.00 Petition fee and \$385.00 filing fee for an RCE, is deemed necessary in connection with the filing of this Communication and Supplemental Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



---

John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400